

MG-2513 (143*244)

I hereby certify that this paper, along with any other paper or fee referred to in this paper as being transmitted herewith, is being faxed via (571) 273-8300 to: United States Patent & Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of Sept., 2007.

By: B. Neu**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Peter Neu et al.

Application No.: 10/517,722

Confirmation No.: 6059

Filed: 12/10/04

Art Unit: 1616

For: XENON-CONTAINING SPASMOLYTIC

Examiner: Ernst V. Arnold

TERMINAL DISCLAIMER

THE OWNERS, AIR LIQUIDE DEUTSCHLAND GMBH and MATTHIAS REYLE-HAHN, of the entire right, title and interest in and to the above application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC § 154 to 156 and 173 as presently shortened by any Terminal Disclaimer, of any patent issuing from U.S. patent application Serial No. 10/517,723 ('723 application). The owners hereby agree that any patents so granted on the instant application shall be enforceable only for and during such period that it and the '723 application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

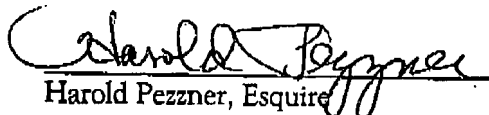
In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC § 154 to 156 and 173 of the '723 application, as presently shortened by any Terminal Disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a Court of competent jurisdiction is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

If there are any fees for filing this Terminal Disclaimer the Commissioner is authorized to charge them to Deposit Account No. 03-2775.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

Dated: September 10, 2007


Harold Pezzner, Esquire
Reg. No. 22,112
CONNOLLY BOVE LODGE & HUTZ
1007 N. Orange Street
Wilmington, DE 19801
(302) 658-9141

547233